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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. CR13-161-JLR

10 Plaintiff,

11 v.

DETENTION ORDER

12 MARK EDWIN NICHOLS,

13 Defendant.

14 Offenses charged:

15 Count 1: Conspiracy to Distribute Controlled Substances, in violation of 21  
16 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)

17 Count 3: Distribution of Heroin, in violation of 21 U.S.C. §§ 841(a)(1) and  
18 841(b)(1)(C)

19 Count 4: Possession of Heroin and Cocaine with Intent to Distribute, in violation  
20 of 21 U.S.C. §§ 841(a)(1) and 841 (b)(1)(B)

21 Date of Detention Hearing: June 3, 2013.

22 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
23 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

24 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

25 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
26 defendant is a flight risk and a danger to the community based on the nature of the pending  
charges. Application of the presumption is appropriate in this case.

DETENTION ORDER

18 U.S.C. § 3142(i)

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2. Defendant has a substantial history of failures to appear and failure to comply with supervision, including one bail jumping conviction.

3. Defendant likely has substance abuse problems.

4. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 4th day of June, 2013.

  
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JAMES P. DONOHUE  
United States Magistrate Judge